

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

MICHAEL HILLIARD §  
VS. § CIVIL ACTION NO. 1:24-CV-332  
LEBLANC UNIT SECURITY, ET AL. §

ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Michael Hilliard, a prisoner currently confined at the Wayne Scott Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff requested leave to proceed *in forma pauperis*.

The Court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommended denying Plaintiff's motion for leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(g), and dismissing the action unless Plaintiff paid the \$405.00 filing fee within fourteen days.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation. He did not pay the filing fee.

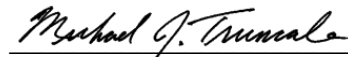
The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit. For the reasons stated in the magistrate judge's report and recommendation, Plaintiff is barred from proceeding *in forma pauperis* in this action. *See Hilliard v. John Peter Smith Hospital*, No. 4:10-CV-713 (N.D. Tex. Sept. 30, 2010); *Hilliard v. Abshiner*, No. 1:12-CV-150 (N.D. Tex. Feb. 4, 2013); *Hilliard v. Abshiner*, No. 1:13-CV-84 (N.D. Tex. Nov. 13, 2013). Plaintiff claims that he has no knowledge of two of the prior cases cited by the magistrate

judge. Nevertheless, the cases are all linked to him by the same SID number on the prisoner account statements filed in those cases.

**ORDER**

Accordingly, Plaintiff's objections [Dkt. 36] are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge [Dkt. 33] is **ADOPTED**. Plaintiff's motion for leave to proceed *in forma pauperis* is **DENIED**. A final judgment will be entered in accordance with this order.

**SIGNED** this 14th day of July, 2025.



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Michael J. Truncala  
United States District Judge